

October 20, 2003

TO: Supervisor Yvonne Brathwaite Burke, Chair
Supervisor Gloria Molina
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

FROM: James E. Hartl, AICP
Director of Planning

**SUBJECT: REPORT TO THE BOARD OF SUPERVISORS ON POSSIBLE
CHANGES TO COUNTY ZONING REGULATIONS FOR BIG HOUSES**
(Motion of March 25, 2003—SYN. NO. 11)

BACKGROUND

On March 25, 2003, your Board—on a motion by Supervisor Michael Antonovich— instructed the Department of Regional Planning to review the County's Zoning Ordinance development standards for single-family residences and report back to you on possible alternative development standards. You expressed concern about the trend toward construction of larger homes on relatively small lots—a trend commonly called “mansionization”, and you expressed your perceptions that these larger homes are tending to intrude on the privacy of adjacent residences, obstructing the light, air and openness of adjacent lots and neighborhoods in some unincorporated communities.

This report verifies your perceptions about the trends toward big houses in some areas of the County and their impacts on adjacent residents and neighborhoods. As you requested, it reviews current County requirements and explores alternative setback, height, lot coverage, building bulk, and floor area ratio requirements that could be utilized to reduce the building envelope for single-family residences in appropriate instances. The report also includes a review of data relating to a windshield survey we have undertaken, some recently approved subdivision and plot plan cases, sizes of resale single-family residences, current countywide and community standards district (CSD) standards, and a survey of other local cities' regulations.

Finally, this report suggests certain directions for possible revisions to the County Zoning Ordinance for application to mansionization dynamics in both established and newly developing communities.

RESIDENTIAL DEVELOPMENT IN NEW SUBDIVISIONS

Field Survey

Staff undertook a field survey of new development in the Santa Clarita Valley. This area was chosen because it has the majority of the new subdivisions being developed in the unincorporated portion of the County. This survey verified the trend toward larger two-story houses being constructed on small lots in new single-family residential developments. While terracing of homes provided some relief in hillside areas, projects on flatter land often exhibited a cramped feeling, obstruction of light and air, and provision of minimal privacy. In many instances the entire *building envelope (i.e. the buildable area of a lot outside of the front, rear and side yards)* had been developed with two-story residences at or approaching the maximum height limit of 35 feet. On many hillside lots, almost the entire flat building pad was covered by the house, which left most of the open yard areas as steep unusable slopes. Additionally, some front yard setbacks were less than 20 feet. All of these factors contribute to the cramped feeling from the street.

Some relief from this perceived cramping of development was achieved in instances where the second stories of the homes were recessed, the homes were terraced on sloping land, and windows were sensitively placed so as to minimize the view of the property next door. Also, some side yard setbacks in hillside areas often appeared to be larger than required—up to about ten feet—on one side of the house.

Contacts with Building and Safety Division of Public Works

Representatives of County Building and Safety in the Santa Clarita Valley have characterized trends in development on a Valley-wide basis. They state that prior to the mid-1980's, development in the Valley exhibited single-story homes on lots generally ranging from 6,000 to 7,500 square feet. They further state that the valley-wide trend toward 2-story homes emerged in the mid-1980's on lots of comparable size. However, during the later 1990's and into the 2,000's, the trend has been toward larger and larger homes on lots of 5,000 square feet or even less, and maximum buildout of the allowable building envelope. An additional current trend is toward large detached condos that are placed quite close together.

In contrast, County Building and Safety representatives in the Antelope Valley have stated that the trend toward mansionization on smaller lots has occurred within the cities of Palmdale and Lancaster, but that this trend has not extended to unincorporated areas. Rather the trend to date in unincorporated areas is either one-story homes, or two-story homes on larger lots—generally at least 6,000 square feet in size.

The differences between trends in the Santa Clarita Valley and the Antelope Valley reflect the differences in land costs, and consumers' express desires for larger houses at a lower cost per square foot.

Approved Tracts and Plot Plans

We have also reviewed several approved tracts in the Santa Clarita Valley to determine what sizes of houses had been authorized. Some of the approved homes will be two-story ranging up to 3,300 square feet on 5,000 to 6,000 square-foot lots.

The approved plans show the homes to utilize almost the entire lot except for required yard setbacks. Additionally, the "alternate cross-section" was approved for local streets in many developments. This type of street design allows the developer to include six feet of public right-of-way as part of the required front-yard setback, as was exhibited in some new developments in our Santa Clarita Valley field survey. As a result, the homes across the street from each other are 12 feet closer to each other on what appears to be a narrower street. This creates a hemmed-in feeling from the street.

Historic Residential Development Patterns

Our research on the sale of existing homes indicates that the average size of homes in older subdivisions was between 1,000 and 1,200 square feet. For example, in older areas such as East Los Angeles, the average home size is 1,020 square feet, in Montrose 1,160 square feet and in Florence-Firestone it is 993 square feet. The older residential development was primarily single-story. In newer areas the average size of a resale home increases and the structures are often two-story: in Rowland Heights it is about 1,630 square feet and in Hacienda Heights it is about 1,800 square feet. The average size of resale homes in Santa Clarita Valley communities confirms this trend toward larger homes. The average square footage of resale residences in the newer communities of Canyon Country and Stevenson Ranch are about 2,660 and 2,540 respectively.

The typical size of a lot in older subdivisions was 5,000 square feet. Thus, the lot coverage in these older subdivisions ranged between 20 to 24 percent. In newer subdivisions, lot sizes are averaging between 5,000 and 6,000 square feet. In some developments in hillside areas, lot sizes tend to be somewhat larger than in subdivisions on more level terrain.

Current Countywide Requirements

The provisions regulating the construction of homes in new subdivisions are primarily found in the countywide Zoning Ordinance development standards for Zone R-1 (Single-family Residence), which are as follows:

- Minimum Setback Requirements
 - Front yard-20 feet
 - Side yard-5 feet
 - Rear yard-15 feet
- Maximum height-35 feet
- Maximum floor area-No standard
- Lot coverage and Floor area ratio (FAR)/Gross structural area (GSA)-No standard

Given these countywide standards, it is possible to build on 2,600 square feet or 52 percent of a 5,000 square foot lot if the entire building envelope is utilized. This would also allow a 5,200 square foot two-story house on this size lot. Under the current standards, the lot coverage and house size could increase as the lot size increases.

INDIVIDUAL HOMES IN EXISTING NEIGHBORHOODS

We have also reviewed some recent construction records for individual new large homes in some of our existing unincorporated communities, and have confirmed that the trend in certain communities is toward very large homes. For instance, in the community of East Pasadena-San Gabriel, one recently constructed home contains about 5,300 square feet on a lot of about 17,300 square feet, and another contains 8,200 square feet on a lot of about 33,000 square feet. There have been applications for houses up to 18,000 square feet. While the lots in these instances are not small, the size of the new residence dwarfs older residences on adjacent lots.

Current Community Standards Districts (CSDs)

With the aid of community residents, the County has adopted numerous CSD's for specific unincorporated communities, and three of these CSD's—for East Pasadena-San Gabriel, Altadena, and South San Gabriel, include new and unique "mansionization" standards to reduce the impact of large houses on small lots in existing neighborhoods. A summary of their regulations is provided below.

- **Front yard setbacks:** Two of the cited CSD's require 20 feet or the average of all front yards on the same side of the street, whichever is greater.
- **Side yard setbacks:** All three CSD's require setbacks of at least 5 feet or 10 percent of the width of the lot. One CSD also requires a 10 foot setback for any structure over 20 feet in height, and one also requires that any structure over 20 feet in height must be reduced to 10 feet in height at 5 feet from the side property line and its height may increase only one additional foot for each additional foot it is set back.
- **Rear yard setback:** Two of the CSD's require an adjustable setback based on the size of the lot; and one requires a setback of 15 feet for structures up to 20 feet in height, but 20 feet for structures more than 20 feet in height.
- **Height limits:** All three CSD's require expanded side yard setbacks, or side yard and front yard setbacks for structures of over 20 feet or 23 feet in height; and two of the CSD's set overall adjustable height limits based on the size of the lot. Reduced heights are required for portions of the structure located within certain distances of the side and front lot lines as specified in "front yard setbacks", "side interior and corner yard setbacks", and "height limits" above.
- **Lot coverage and GSA (Gross Structural Area):** Lot coverage and GSA requirements for all three CSD's provide that the maximums are 25 percent of net lot size + 1,000 square feet. Two of the CSD's establish maximum GSAs of 9,000 square feet, and one a maximum of 7,000 square feet.

SURVEY OF OTHER JURISDICTIONS

A survey of four other local jurisdictions that are newly developing or are established communities with mansionization trends, revealed that the cities of Calabasas, Santa Monica, and Lancaster have implemented regulations that significantly reduce the building envelope for single-family residences in manners similar to that of the County's CSD's. In contrast, the City of Santa Clarita had not implemented such regulations. These communities' regulations are summarized collectively below.

- **Front yard setbacks:** The setbacks required by the cities vary from 15 to 20 feet. One city requires an additional setback for buildings exceeding 14 feet in height.
- **Side yard setbacks:** The cities' side yard requirements vary between five and 10 feet. One city requires an additional setback if the structure height is over 14 feet and uses a *daylight plane requirement (i.e. an angular measurement that limits the maximum height of a building)* for taller structures. Another technique to reduce the impact of tall buildings on adjacent property is through the use of *"Step-backs" (i.e. requirements that the walls of progressively higher portions of a structure be set back a progressively greater number of feet)*.
- **Rear yard setbacks:** Typical setbacks are from 15 to 30 feet. Additional setbacks are required by one city where the home is over 14 feet high.
- **Height limit:** These limits vary from 28 to 35 feet and in some cities the heights are allowed to increase as the lot size increases.
- **Lot coverage and GSA:** The three cities that have a lot coverage provision range between 35 and 50 percent allowable coverage. None of the cities utilize GSA requirements.

In summary, two of the four cities surveyed have reduced the building envelope in similar ways as the County's mansionization CSD's, but are even more restrictive, one of the cities applies lot coverage and landscaping requirements, while one city applies no unique standards to mitigate the effects of big houses on adjacent lots or neighborhoods.

SUGGESTED COURSES OF ACTION

Our research concurs with the Board's observations that, whereas the historical trend in existing communities has been the construction of smaller one-story residences that utilize only a portion of the permitted building envelope, the trend today in some new and established communities is toward construction of two-story homes that fill almost the entire permitted building envelope. The result of this trend toward mansionization is significant obstruction of light and air, and encroachment on the privacy of residents on adjacent lots.

The County's current countywide standards for single-family residential development establish a general foundation for analysis of regulations for such uses. These regulations were initially adopted in the 1940's and early 1950's when the standard

practice was to place a small home (i.e. 1,000 – 1,200 square feet) on smaller lots (i.e. 5,000 square feet). As cited earlier, this trend has changed in several unincorporated geographic areas of the County due to escalating land prices and changing market demands. Thus, we suggest that the current countywide standards for single-family residences should be reviewed; however, in doing so we must keep in mind that mansionization has not emerged as a problem countywide, but rather in scattered unincorporated communities.

Residential Development in New Subdivisions

Newly developing unincorporated areas vary greatly in character, topography and demographics. For this reason, we suggest that the following would be appropriate:

- A conditional use permit requirement for new single-family residential subdivisions with more than a specified threshold number of dwelling units that are located within certain identified geographic areas where the trend toward mansionization has emerged.
- The CUP requirement would be listed as a use subject to permits in all residential and agricultural zones, and the listed use would reference standards and conditions that would be contained in a new section of Part 1 of Chapter 22.56 (Conditional Use Permits) of the Zoning Ordinance.
- The new applicable section in Part 1 of Chapter 22.56 would include the following provisions:
 - Specification of certain geographic areas for the application of the CUP requirement. Projects outside of the specified geographic areas would not be subject to this CUP requirement.
 - A list of related required development standards.
 - Related required findings for approval. Such findings would require the applicant to establish that he or she has substantially preserved the light, air, privacy, and openness within the respective residential development.
 - In cases where the subdivider is also the home builder, the applicable section in Part 1 of Chapter 22.56 would afford the applicant with flexibility to modify the required development standards or to propose alternative development standards that would meet the specified burden of proof. Alternative development standards could be proposed by the applicant and reviewed by staff. In turn, staff would make a recommendation to the Regional Planning Commission, and the final standards would be up to the discretion of the Commission.
 - In cases where the subdivider is not the builder, the development standards in the CUP provisions would apply without the flexibility for modification. However, Part 11 of Chapter 22.56 allows for minor modification of the CUP conditions at a later date. Thus, when a builder subsequently acquires the property and seeks to develop it, he or she would have the opportunity to apply for modification of the development standards.
 - Incentives (e.g. retain existing setbacks) to encourage builders to include such features as: stepped-back second story or single-story houses, smaller homes, additional landscaping, architectural enhancements, etc.)

- Based on the research data we have cited, initially required development standards could include the following:
 - Increased front, side, and rear yard setback requirements, especially for taller structures.
 - A lot coverage requirement that could be adjusted based on the size of the lot.
 - “Daylight planes” or “step backs” that protect light and air sources.
 - Sufficient level land to be available for each lot.
 - More restrictive height standards.
 - Larger minimum lot sizes.
 - Lot coverage allowances and/or GSA requirements for two-story structures.
 - Elimination of the current allowances of an “alternate cross-section” for local streets in new residential developments with big houses.

Again, such CUP requirements would only be applied to new subdivisions in specified developing areas where mansionization trends have emerged and the construction of big residences on small lots could obstruct the light, air, privacy, and openness of residents on adjacent lots or the neighborhood. Additionally, if the subdivider is the developer, possible modification of such standards and/or approval of developer-initiated alternative standards could be approved with appropriate findings by the decision-making body, and other mechanisms for modification of standards exist in the Zoning Code for cases where the ultimate subdivider is not ultimately the developer.

Because of the possible impact of such standards on housing costs, the preparation of these new CUP provisions should involve the building industry, community organizations, Town Councils, housing advocacy groups, etc. Additionally, we might keep in mind that while mansionization on individual lots in older established communities affects residents already living next door, buyers in new subdivisions are exercising their choice for a larger house, irrespective of the impacts on their own air, light or privacy. We suggest that this fact should be considered in tempering new proposals for limiting the building envelope for large homes in new developments.

Individual Homes in Existing Neighborhoods

With respect to established communities, the current system of working with local residents to develop community-specific mansionization standards within CSD’s is very effective. Therefore, we suggest that the Department continue to assist established communities that perceive mansionization as a local problem. The diverse nature community character, topography, and demographics makes continued development of community-specific standards the most effective approach to reducing building envelopes in existing neighborhoods.

We trust that this report will assist you in determining whether or not there is a need to revise the County’s current single-family residence development standards in response to the trend toward big houses on small lots, and if necessary, what Zoning Ordinance

The Honorable Board of Supervisors
October 20, 2003

revisions may be appropriate. If you have any further questions regarding this report or mansionization in general, please call me or Leonard Erlanger of my staff at (213) 974-6432.

JEH:RDH:LE

Attachments

C: Chief Administrative Officer
County Counsel
Executive Officer, Board of Supervisors
Director, Department of Public Works

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